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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR 09-01151-JF  
11 )  
Plaintiff, ) STIPULATION AND ~~[PROPOSED]~~  
12 vs. ) ORDER CONTINUING HEARING DATE  
13 MARY SANTOS MORALES, ) AND EXCLUDING TIME UNDER THE  
14 Defendants. ) SPEEDY TRIAL ACT  
15 )

16 **STIPULATION**

17 Defendant Mary Santos Morales, by and through Assistant Federal Public Defender  
18 Varell L. Fuller, and the United States, by and through Assistant United States Attorney Jeffrey  
19 B. Schenk, hereby stipulate that, with the Court's approval, that the status hearing currently set  
20 for Thursday, June 24, 2010 at 9:00 a.m., shall be continued to Thursday, July 29, 2010, 2010 at  
21 9:00 a.m.

22 The reason for the continuance is the defense has submitted a written proposal to  
23 government counsel requesting an informal settlement conference to resolve issues with respect  
24 to the terms of a defense proposed resolution.

25 The parties agree that the time between June 24, 2010 and July 29, 2010 is excludable  
26 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation by

1 defense counsel.

2 Dated: June 21, 2010

3 \_\_\_\_\_/s/\_\_\_\_\_  
4 VARELL L. FULLER  
Assistant Federal Public Defender

5 Dated: June 21, 2010

6 \_\_\_\_\_/s/\_\_\_\_\_  
7 JEFFREY B. SCHENK  
Assistant United States Attorney

8 **~~[PROPOSED]~~ ORDER**

9 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY  
10 ORDERED that the hearing currently set for Thursday, June 24, 2010, shall be continued to  
11 Thursday, July 29, 2010, at 9:00 a.m.

12 THE COURT FINDS that failing to exclude the time between June 24, 2010, and July  
13 29, 2010, would unreasonably deny defense counsel reasonable time necessary for effective  
14 preparation, taking into account the exercise of due diligence. See 18 U.S.C. §  
15 3161(h)(7)(B)(iv).

16 THE COURT FURTHER FINDS that the ends of justice served by excluding the time  
17 between June 24, 2010, and July 29, 2010, from computation under the Speedy Trial Act  
18 outweigh the interests of the public and the defendant in a speedy trial.

19 THEREFORE, IT IS HEREBY ORDERED that the time between June 24, 2010, and  
20 July 29, 2010, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §  
21 3161(h)(7)(A) and (B)(iv).

22 IT IS SO ORDERED.

23 Dated: 6/22/10

24   
25 THE HONORABLE JEREMY FOGEL  
United States District Court Judge